**Writ Petition no.584 (S/S) of 2003**

Suresh Pal--- Petitioner

Versus

State of Uttaranchal and others Respondents

**Hon'ble M.M.Ghildiyal J.**

Heard Sri A.D.Tripathi learned counsel for the petitioner and learned Standing Counsel.

The petitioner who was working in Nalkoop Khand Haldwani has been transferred by order dated 17.7.2003 from Haldwani to Almora. The petitioner has challenged this order on the ground that he has been transferred frequently. The learned counsel for the petitioner has submitted that prior to Haldwani he was working in Kathgodam Jamrani Bandh since 1999. It is not disputed that Haldwani-Kathgodam comes within one Municipality known as Nagarpalika Haldwani cum Kathgodasm. The petitioner in this municipal area is serving since 1999 and by transferring him in the year 2003 it cannot be said that the petitioner has been transferred frequently. The learned counsel for the petitioner has further submitted that he has two children one studying in IX class and another studying in X class and as such in case the transfer is not stayed the children of the petitioner will face difficulties as they have obtained admission in the school at Haldwani. Generally, every employee has children and this difficulty is always there. Only on the basis of the fact that the children of the petitioner are studying at a particular place he will face difficulty in case his transfer is not stayed. Transfer is the exigency of service and the employee is bound to face some difficulties in case he is transferred. The transfer order can be challenged on the ground of mala fide, excessive and frequent transfers. The petitioner has not challenged the transfer on these grounds. The writ petition fails and is dismissed. No order as to costs.

**(M.M.Ghildiyal.J.)**

July 28, 2003

MPS